

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

BRUNSON COMMUNICATIONS, INC.,	:	
	:	
Plaintiff	:	
	:	NO. 02-CV-3223
v.	:	
	:	
ARBITRON, INC.,	:	
	:	
Defendant	:	

**PLAINTIFF S RESPONSE TO DEFENDANT S
MOTION TO DISMISS AMENDED COMPLAINT**

Plaintiff Brunson Communications, Inc., by its undersigned attorney, hereby requests that this Court deny Defendant s Motion to Dismiss Plaintiff s Amended Complaint, or for Summary Judgment. The grounds for denial are that the Complaint adequately alleges facts upon which relief can be granted. In support of its response, Plaintiff incorporates the facts, argument and Exhibits set forth in its attached Memorandum of Law.

ROBERT J. SUGARMAN
I.D. Number 03332
Counsel for Plaintiff

OF COUNSEL:

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Dated: September 16, 2002

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v.	:	
	:	
ARBITRON, INC.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this ____ day of _____, 2002, upon consideration of Defendant Arbitron, Inc s Motion to Dismiss Plaintiff s Amended Complaint pursuant to F.R.Civ.P. 12(b)(6), and Plaintiff Brunson Communications, Inc. s Response thereto, it is hereby ORDERED, ADJUDGED and DECREED that Defendant s motion is DENIED.

BY THE COURT:

MICHAEL J. BAYLSON, U.S.D.J.